

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Ted D. Ellis and Teresa Ellis,)	C/A No.: 9:19-cv-02163-RMG-MGB
)	
Plaintiffs,)	
)	
v.)	
)	
Cody C. Kirkman, Individually;)	
Amber Swinehammer,)	
Individually; Lindsey Gibson,)	
Individually; Cody C. Kirkman,)	
Amber Swinehammer, and)	
Lindsey Gibson, as Agents/)	
Officers of Town of Bluffton)	
Police Department; and Town of)	
Bluffton Police Department,)	
)	
Defendants.)	
_____)	

TO: Arie Bax, Attorney for Plaintiffs

**DEFENDANTS'
DESIGNATION OF EXPERT WITNESSES
F.R.C.P. 26(a)(2)(b)**

The Defendants provide the following identification of expert witness expected to testify at the trial of this case and in supplementation of discovery responses:

1. Brian S. Batterton, Esq.
4640 Dallas Highway
Powder Springs, Georgia 30127

Brian S. Batterton, Esq. is a Major with the Cobb County Police Department. He obtained his Georgia Law Enforcement Certification in 1994 through the Georgia Peace Officer Standards and Training Council. He has been employed in the field of Law Enforcement since that date. Mr. Batterton holds a Juris Doctorate obtained in December

1999 and was admitted to the Georgia Bar in 2000. He maintains active membership in the Georgia bar. He is a certified training instructor on law enforcement topics and completed the Use of Force Instructor Training program offered through Federal Law Enforcement Training. His additional qualifications and certifications are set forth in his Curriculum Vitae attached.

Major Batterton has examined pleadings, discovery, videos, news articles and records exchanged to date and will provide testimony, if called, regarding the agencies' compliance with standards for hiring, training and supervision, as well as the officers' compliance with training and protocol within the law enforcement community of the State of South Carolina upon the issues of training, arrest procedures, use of force, and standards of policing in the State of South Carolina. A summary of his preliminary opinions will be provided under separate cover. Upon completion of discovery, Major Batterton will issue a written report and/or affidavit containing his full opinions to a reasonable degree of certainty within the field of police procedure within the law enforcement community of the State of South Carolina. His Curriculum Vitae is attached as **Exhibit A**.

2. Dr. Paul Zorch
Coastal Carolina Medical Center
1000 Medical Center Dr
Hardeeville, SC 29927

Dr. Zorch will testify as to the history obtained, observations and medical treatment rendered Plaintiff Ted Ellis on the date of his August 3, 2017 arrest. Dr. Zorch will base his testimony and opinions on his specialty in family medicine.

3. Dr. Saied Khosrowpour
Coastal Carolina Medical Center
1000 Medical Center Dr
Hardeeville, SC 29927

Dr. Khosrowpour will testify as to the injuries suffered by Plaintiff Ted Ellis as a result of the subject incident, the medical treatment rendered as a result of those injuries, and his observations of the distress and suffering caused to Mr. Ellis during his encounters with him. Dr. Khosrowpour will base his testimony and opinions on his specialty in emergency medicine.

4. Kasie A. Moore NP
Coastal Carolina Medical Center
1000 Medical Center Dr
Hardeeville, SC 29927

Kasie A. Moore NP, if called, will testify as to the history obtained, observations and medical treatment rendered Plaintiff Ted Ellis on the date of his August 3, 2017 arrest. Ms.

Moore will base her testimony and opinions on her specialty in emergency medicine.

5. Amber Williamson, RN
Coastal Carolina Medical Center
1000 Medical Center Dr
Hardeeville, SC 29927

Registered Nurse Williamson, if called, will testify as to the history obtained, observations and medical treatment rendered Plaintiff Ted Ellis on the date of his August 3, 2017 arrest. Nurse Moore will base her testimony and opinions on her specialty in nursing.

If called, medical experts will testify as to their treatment and findings while examining Plaintiff Ted Ellis at Coastal Carolina Medical Center. All medical records were provided by Plaintiff through opposing counsel. This disclosure is made to notify all interested parties and counsel that Defendants may offer factual and expert testimony from Ted Ellis's medical treatment providers regarding injuries diagnosed, causation of same, treatment for same, prognosis of same and all other particulars set forth in his medical records.

Defendants will supplement records and reports as they become available as discovery continues.

Respectfully Submitted,

LAW OFFICE OF CHRISTY L. SCOTT, LLC

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ATTORNEYS FOR DEFENDANTS

Cody C. Kirkman, Individually and as an Officer of Town of Bluffton Police Department; Amber Swinehamer, (mistakenly spelled Swinehammer), Individually and as an Officer of Town of Bluffton Police Department; former Bluffton police officer Lindsey Gibson, sued individually and as a former police officer of the Bluffton Police Department and the Town of Bluffton Police Department

September 6, 2020

Walterboro, South Carolina